

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

NATIONAL GRID COMMUNICATIONS, INC.,)	
)	
Plaintiff)	
)	C. A. NO. 05-30131-MAP
V.)	
)	
TOWN OF LENOX and)	
LENOX ZONING BOARD OF APPEALS,)	
)	
Defendants)	

MOTION TO FURTHER EXTEND TIME FOR OPPOSING
MOTION TO INTERVENE AND FOR STAY OF ACTION ON THE AGREEMENT
FOR JUDGMENT SUBMITTED BY THE PLAINTIFF AND THE DEFENDANTS

The Plaintiff, National Grid Communications, Inc., moves that this Honorable Court further extend the deadline for responses to Lenox Meadows, LLC's Motion to Intervene from November 17, 2006, to December 8, 2006, on the grounds that the Plaintiff and the Defendants have agreed upon a settlement of this matter, Plaintiff has surveyed a revised tower location, and is preparing a set of plans for said revised tower location, which may also resolve all issues raised in the Motion to Intervene and in the underlying case as well. Plaintiff also asks this Honorable Court temporarily to stay any action on the Agreement for Judgment which was filed on September 12, 2006.

Further in support of this Motion, the Plaintiff states the following:

1. On September 12, 2006, Lenox Meadows, LLC, filed for intervention, and Plaintiff and the Defendants filed an Agreement for Judgment. Following discussions with counsel for Lenox Meadows, LLC, the parties have

made further modifications of the proposed tower design and location, which modifications were the subject of a balloon test conducted on October 11, 2006. Plaintiff has completed the survey for the new tower location and plans are being prepared, and the parties and Lenox Meadows, LLC, hope that when the new plans are finalized, they will result in a settlement of all issues in the Motion to Intervene and in the underlying case.

2. The requested extension, and the stay of action on the Agreement for Judgment, would give the parties and Lenox Meadows the additional time necessary for the evaluation of the plans currently being drafted, and would not unreasonably delay the resolution of this matter.

Respectfully submitted,

NATIONAL GRID
COMMUNICATIONS, INC.,

By: /s/ Kenneth Ira Spigle
Kenneth Ira Spigle (BBO# 475220)
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(781) 453-3900
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Dated: November 17, 2006

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the above Motion by first class mail, addressed to counsel for the Defendants and to counsel for proposed intervenor Lenox Meadows LLC, this 17th day of November, 2006.

/s/ Kenneth Ira Spigle
Kenneth Ira Spigle